IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.23749 of 2004

Between:

Smt. Segu Aruna, W/o. Segu Hari,
Dhone Grampanchayat, Dhone, Kurnool District.

..... PETITIONER

AND

1 The District Collector (Panchayat Wing), Kurnool, Kurnool District.
2 The District Panahcyat Officer, Kurnool, Collectorate Compound,

Kurnool.
3 The Mandal Parishad Development Officer, Dhone, Kurnool District.
4 The Panchayat Secretry, Dhone Grampanchyat, Dhone, Kurnool

District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not initiating disciplinary action against the erring officials as per the report of the 3rd respondent, dated 13.9.2003 as illegal, arbitrary and consequently direct the respondents to take action in accordance with the report of the 3rd respondent.

Counsel for the Petitioner: MR.K.SITA RAM

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEVELOPMENT.

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed seeking to declare the action of the respondents in not initiating disciplinary action against the erring officials as per the report of the 3rd respondent, dated 13.09.2003 as illegal and arbitrary and consequently to direct the respondents to take action in accordance with the report of the 3rd respondent.

The petitioner is stated to be Sarpanch of Dhone Gram Panchayat, Kurnool District. It is stated that to improve sanitation conditions in the village, a scheme called "Individual Sanitary Latrines (ISL)" was prepared to encourage the construction of Sanitary Latrines by the individuals. That the cost of the construction of a Latrine was estimated at Rs.2,500/- and out of the said total amount, the share of the Central Government is Rs.375/-, the State Government's share is Rs.125/-, and the beneficiary has to contribute Rs.500/- towards his/her share and further the A.P. State Government has to give two quintals of rice as incentive to each beneficiary. It is further stated that certain beneficiaries were selected by the Secretary, Gram Panchayat in the year 2003 and the many so called beneficiaries have not actually constructed the Latrines and they have shown existing Latrines as newly constructed ones. The grievance of the petitioner is that as a Sarpanch, she took an objection to the irregularities committed in implementing the said scheme and gave complaints to the respondents' authorities. The 3rd respondent-Mandal Parishad Development Officer caused an enquiry by E.O (PR & RD), and after receiving a report from the E.O, she submitted a report dated 13.09.2003 to the 1st respondent-District Collector (Panchayat Wing) requesting him to initiate disciplinary proceedings against the staff of Dhone Gram Panchayat for the lapses committed by them in implementing the said scheme. But, no action has been taken so far. Hence, the writ petition.

Heard the learned counsel for petitioner and learned Government Pleader for Panchayat Raj and Rural Development. Both counsel agreed to dispose of the writ petition at the stage of admission.

Having regard to the facts and circumstances of the case, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with a direction to the 1st respondent-District Collector (Panchayat Wing) to consider the representation said to have been made by the petitioner on 08.03.2004 and pass appropriate orders thereon in accordance with law, expeditiously.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

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(N.V. RAMANA, J)

Date: 21.12.2004

Nsr/Mrr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector (Panchayat Wing), Kurnool, Kurnool District.
2 The District Panahcyat Officer, Kurnool, Collectorate Compound,

Kurnool.
3 The Mandal Parishad Development Officer, Dhone, Kurnool District.
4 The Panchayat Secretry, Dhone Grampanchyat, Dhone, Kurnool

District.

5 Two CCs to GP for Panchayat Raj and Rural Development, High Court

of AP, Hyderabad (OUT)

6 Two CD copies.